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GREGORY XIII, 1502–85.

2827. Litterae S.D.N.D. Gregorii Papae XIII innouationis constitutionum Pauli Quarti, & Pii Quinti, contra Medicos Hæbreos [*sic*], et illlarum [*sic*] extensionis ad eos qui Medicos Hæbreos, vel infideles ad Christianorum curam vocant, admittunt, vel eisdem medendi licentiam concedunt. fol. *Roma, per gli Heredi d'A. Blado*, 1584.

Broadside. With woodcut papal arms and ornamented capital. Inserted: MS. English translation.

Paul III (pope 1534–49) had a Jewish physician, Jacob Mantini. [W. O.]

2827

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LITTERAE
S. D. N. D. GREGORII PAPAE XIII.

Innouationis constitutionum Pauli Quarti, & Pij Quinti, contra Medicos Hebreos, Et illarum extensionis ad eos qui Medicos Hebreos, vel infideles ad Christianorum curam vocant, admittunt, vel eisdem medendi licentiam concedunt.



GREGORIVS PAPA XIII.

Ad perpetuam rei Memoriam.

ALIAS Piæ me. Paulus Papa IIII. prædecessor noster edita perpetua constitutione inter alia sanciuit, ne Medici Iudæi etiam vocati, & rogati ad Christianorum ægrotantium curam accedere, aut illi interesse possent: quam constitutionem postea Pius Papa V. etiam prædecessor noster per suas litteras approbauit, innouauit, & confirmauit, & robur perpetuæ firmitatis obtinere decreuit: ac voluit, & sub interminatione diuini iudicij præcepit, & mandauit, omnia in eadem constitutione contenta in posterum firmiter obseruari non solum in Terris, & Dominijs Sanctæ Romanæ Ecclesiæ subiectis, sed etiam vbique locorum. Quia tamen nobis non sine magna animi nostri molestia annotuit, ea minime obseruari, sed multos adhuc ex Christianis hominibus esse, qui dum suos corporum languores illicitis medijs, & præcipue Iudæorum, ac aliorum infidelium opera sanari cupiunt, veræ salutis animarum suarum, & corporum simul immemores fiunt, & (quod valde dolendum est) in damnationis æternæ maximum sæpe discrimen incidunt, medicis Iudæis, & infidelibus huiusmodi ad ipsorum curationem vocatis, & adhibitis: vnde fit, vt & Iudæis, ac alijs infidelibus magna detur delinquendi occasio, & simul salutare præceptum negligatur ab Innocentio Papa III. similiter prædecessore nostro in Concilio generali quondam emissum, & deinde à prædicto Pio V. innouatum, quod omnes medici cum ad infirmos in lecto iacentes vocati essent, ipsos ante omnia monerent, vt idoneo confessori omnia peccata sua iuxta ritum Sanctæ Romanæ Ecclesiæ confiterentur, neque tertio die vlterius eos visitarent, nisi longius tempus infirmo confessor ob aliquam rationabilem causam, super quo eius conscientia onerabatur, concessisset, & eis per fidem confessoris in scriptis factam constaret, quòd infirmi peccata sua confessi fuissent. Idcirco nos tam Iudæos, qui aduersus mandata huiusmodi apostolica committere audent, quam Christianos qui illos ad se accersunt. vel medendi licentiam concedunt, & viam ad delinquendum eisdem aperiunt, coercere volentes, supradictas prædecessorum nostrorum constitutiones auctoritate apostolica tenore præsentium approbamus, confirmamus, & innouamus, ac inuiolabiliter obseruari mandamus, atque hac nostra in perpetuum valitura constitutione, eisdem constitutionibus, & præceptis pro firmiori illorum obseruatione addentes, vniuersis vtriusque sexus Christifidelibus districte inhibemus, & interdicimus, ne posthac Iudæos, vel alios infideles ad ipsorum Christianorum ægrotantium, & infirmorum curam vocent, seu admittant, aut vocari, admittiue faciant, concedant, vel permittant. Mandantes propterea omnibus, & singulis venerabilibus fratribus nostris Patriarchis, Primatibus, Archiepiscopis, & Episcopis, necnon dilectis filijs alijs locorum ordinarijs, & quibusuis Parochis, alijsue animarum curam habentibus, & exercentibus, sub indignationis nostræ, ac alijs arbitrio nostro infligendis pœnis, vt præsentes nostras litteras in suis ecclesijs, quæ in illis ciuitatibus, vel diœcesibus constitutæ sunt, in quibus Hebræi, vel alij infideles moram trahunt, quamprimum ad eos perlatæ fuerint, & deinde singulis annis initio quadragesimalis ieiunij publicent, aut publicari faciant, & quod si quis post earum publicationem etiam quomodolibet exemptus ac cuiuscunque status, gradus, ordinis, conditionis, & præeminentiæ existens, aduersus illa facere ausus fuerit, sacramenta ei ecclesiastica nullatenus ministrentur, nec etiam à regularibus exemptis: & sic decedens, ecclesiastica careat sepultura, quæ quidem omnia parochi ægrotantibus significare apto tempore non omittant, præsertim cum Iudæum, vel infidelem medicum ab eis admissum esse cognouerint, & aliàs ipsi locorum ordinarij contra huius mandati transgressores debita animaduersione procedant: Iudæosque ipsos nihilominus iuxta Pauli, & Pij Pontificum prædictorum literas contra illos editas pro earum transgressione puniant. Non obstantibus constitutionibus, & ordinationibus apostolicis, ac omnibus illis, quæ iidem Paulus & Pius in suis litteris prædictis voluerunt non obstare, priuilegijs quoque indultis, & litteris apostolicis quibusuis personis etiam regularibus, priuilegiatis, & exemptis, eorumue ordinibus, & congregationibus sub quibuscunque tenoribus, & formis, etiam Mari Magno, seu bulla aurea nuncupata, ac cum quibusuis clausulis, & decretis in genere vel in specie, ac aliàs in contrarium quomodolibet concessis, approbatis, & innouatis, quibus omnibus, etiam si de illis, eorumque totis tenoribus, & formis specialis, specifica, expressa, & indiuidua mentio, seu quæuis alia expressio habenda, aut aliqua alia exquisita forma ad hoc seruanda foret, illorum tenores, ac si de verbo ad verbum nihil penitus omisso, & forma in illis tradita obseruata inserti forent, præsentibus pro sufficienter expressis habentes, illis aliàs in suo robore permansuris, hac vice duntaxat specialiter, & expresse derogamus, contrarijs quibuscunque. Seu si aliquibus communiter vel diuisim ab apostolica sit sede indultum, quod interdici, suspendi, vel excommunicari non possint per litteras apostolicas non facientes plenam, & expressam, ac de verbo ad verbum de indulto huiusmodi mentionem. Et quia difficile foret easdem præsentes ad singula quæque loca deferri, volumus, & declaramus, quod earum transumptis, etiam impressis, & manu alicuius Notarij publici subscriptis, ac sigillo alicuius personæ in dignitate ecclesiastica constitutæ munitis, eadem prorsus fides vbicunque habeatur, quæ præsentibus haberetur, si forent exhibitæ, vel ostensæ. Dat. Romæ apud S. Petrum sub Annulo Piscatoris, die xxx. Martij, M. D. LXXXI. Pontificatus nostri Anno Nono.

Cæ. Glorierius.

Anno a natiuitate Domini Millesimo Quingentesimo Octuagesimo primo, Indictione Nona, die vero Quinta Mensis Aprilis, Pontificatus Sanctissimi in Christo Patris & Domini Nostri D. Gregorij diuina prouidentia Papæ XIII. Anno Nono, retroscriptæ litteræ apostolicæ affixæ, & publicatæ fuerunt ad valuas Cancellariæ Apostolicæ, & in acie Campi Floræ, per me Petrum Aloysium Gaytam eiusdem Sanctissimi Domini Nostri Papæ Curs.

Petrus Stoch Magister Curs.

IN ROMA, Per gli Heredi d'Antonio Blado Stampatori Camerali, M. D. LXXXIIII.

Letter of his Holiness Pope Gregory XIII, renewing the constitutions of Paul IV and Pius V against Hebrew physicians, and extending them to those who call in Hebrew or infidel physicians to the care of Christians, or who permit them to practise in such cases.

← Not by W.O.: "Paul III had a Jewish Phy Jacob MANTINI" d. 1549

"Paul III had a Jewish Phy Jacob Montino"

Pope Gregory XIII
For perpetual remembrance.

1555

Paul V died 1559

Pius V died 1572

In former days Pope Paul IV of pious memory, our predecessor, did, by a perpetual constitution, decree, among other things, that Jewish physicians should be disabled from undertaking or having part in the care of sick Christians, even though summoned and requested to attend them. This same constitution was afterwards approved, renewed, and confirmed, in writing, by Pope Pius V, also our predecessor, who ordained that it should have the force of perpetual obligation, and who strictly enjoined, under threat of divine judgment, that all the matters contained in the said constitution should henceforth be rigorously observed, not only in the lands and dominions subject to the Holy Roman Church, but also in all places whatsoever. This notwithstanding, we have with great sorrow learnt that these decrees are by no means held in observance; but that there are still many among Christian persons, who, desiring the infirmities of their bodies to be cured by illicit means, and especially by the service of Jews and other infidels, forget alike the true health of their souls and of their bodies. Such persons often incur the gravest peril of eternal damnation (which is greatly to be deplored), by summoning and employing Jewish and infidel physicians; at the same time

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occasion is given to these physicians for offending, and the wholesome injunction of our predecessor Pope Innocent III suffers neglect. For this Pope commanded in General Council (and the command was renewed by the aforesaid Pope Pius V) that all physicians in attendance upon persons in sick bed should before everything warn them to confess all their sins to a suitable confessor according to the usage of the Holy Roman Church, and that no physician should continue his visits beyond the third day unless the confessor should have either granted an extension of time on some reasonable ground or furnished a written certificate that the patient had made due confession.

We therefore, being desirous of restraining not only the Jews who presume to offend against the above-mentioned apostolic commands, but also the Christians who summon them or permit them to practise, and so open to them the way of transgression, do hereby approve, confirm, and renew the aforesaid constitutions of our predecessors by our apostolic authority. We command that they be inviolably observed, and, the better to secure such observance, we do by this present constitution make an addition to the same, which we declare to be of perpetual obligations. We do namely forbid and prohibit most stringently all Christians of either sex hereafter to summon or admit, or allow to be summoned or admitted, any Jewish or infidel physician to the care of any sick or infirm Christian. We therefore charge all and singular our venerable brothers, the Patriarchs, Primates, Archbishops, and Bishops, as also our beloved sons the ordinaries and parish priests, with all who have the care of souls, under pain of our indignation and other penalties to be inflicted at our discretion, that they publish, or cause to be published, this present letter of ours in all churches in those

provinces

provinces or dioceses in which Hebrews or other infidels reside, both as soon as they shall receive it, and thereafter once in every year at the beginning of Lent. And we further charge them that if after such publication any person, enjoying whatsoever exemption, of whatsoever status, degree, rank, order, condition, or eminence, shall presume to act in contravention of this constitution, the sacraments of the church may in no wise be administered to that person, not even by the exempted regular clergy. And if any person shall so die, he shall be deprived of church burial. All these things parish priests must not omit to signify to the sick, especially when they know them to have admitted a Jewish or infidel physician, and otherwise the ordinaries of the places are to proceed with the penalties due to those who transgress this order; they are also none the less to punish the Jews themselves for their transgression of the letters published against them by Popes Paul and Pius.

These present commands are to override all apostolical constitutions or ordinances which the aforesaid Popes Paul and Pius, in their aforesaid letters, declared to be thereby overriden. Further, with regard to all privileges, indulgences and apostolic letters received by whatsoever persons, even Regulars, privileged, and exempt, and to their orders and congregations, in whatsoever terms and in whatsoever forms, even those named "Mare Magnum" and "Golden Bull", and accompanied by whatsoever clauses and decrees, in general or special, and in regard to whatever has been in any wise granted, confirmed, or renewed, tending to the contrary – all these we do now specifically and expressly revoke, so far as contrary to this present constitution, but leaving them otherwise in full force, just as if they had been herein recited at full length, with no word omitted, supposing that such recital, or

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any other particular formality were necessary according to the terms of them, for their revocation. The same must be understood of those indulgences granted by the apostolic see to persons separately or jointly, whereby they cannot be interdicted, suspended, or excommunicated, save by apostolic letters making full and express mention of such indulgences.

And because it would be difficult for this present letter to be carried about to all places separately, we desire and command that the same trust which it would receive if it were itself exhibited to be placed in all copies of the same, even if printed, when subscribed by a notary public and furnished with the seal of a person having ecclesiastical authority.

Given at Rome, at St. Peter's, under the Seal of the Fisherman, March 30, 1581, in the ninth year of our pontificate.

Caesar Glorierius.

In the year 1581 of the Nativity, in the 9th indiction, on the 5th day of April, in the 9th year of the pontificate of his Holiness our lord the Pope Gregory XIII, this letter was copied, furnished with the apostolic seal, published and affixed to the doors of the apostolic Chancery and at the edge of the Campus Florae, by me Peter Aloysius Gaytan, secretary of His Holiness the said Pope.

Peter Stoch, chief secretary.

In Roma, Per gli Heredi d' Antonio Blado Stampatori Camerali, M. D. LXXXIIII.

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